

Murray City Municipal Council Chambers Murray City, Utah

The Municipal Council of Murray City, Utah, met on Tuesday, the 1st day of August 2006 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair
Pat Griffiths,	Council Member - Conducted
Robbie Robertson,	Council Member
Jim Brass,	Council Member
Jeff Dredge,	Council Member

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Brent Davidson,	Deputy City Recorder
Doug Hill,	Director, Public Services
Gil Rodriguez,	Fire Chief
Dennis Hamblin,	Planning & Zoning
Pete Fondaco,	Chief of Police
Lauren Gibbs,	Police Department
Mike Fisher,	Police Department
Kendall Fisher,	Police Department
Christ Brekenfeld	Police Officer
Sallie Young,	Murray Journal
Caroline Kingsley	Murray Journal
Cathy McKittrick	Salt Lake Tribune
Citizens	
Ardonna Allsop	Leny Madsen
Lila Hampton	Bev Lambrum
LaDawna Powell	Wallace James
Ginger James	Vickie Adamson
Etty Johnson	Scott Adamson
Carli Burnett	Dale Burnett
Carolyn Choles	Johnny Nunley
Maxine Nunley	Jennifer Dawson
Linda Schow	Sharon Thompson
Craig Schow	Suzanne James
Eric James	Doyle Lundquist

Amy Aldais	David Pisam
Don Jacobs	Steve Ellefsen
Krystal Walker	Jerry Nichols
Don Hayes	Sallie Paraskea
Harry Luing	David Thomas
Noni Ruegner	Bill Finch
Marcia Kepner	Lynden Cheshire
Lalla Mamell	Jennie Gray
Tom Bank	Karen Wikstrom
Steve Souza	Matt Riffhin
Dave Clark	Edna Cecala
Dennis & Marlene Wilson	Jenee Merrill
Irene Young	Scott & Liz MacCowley
Terrance Deary	Dorothy Lund
Josh Yost	Philip Purdom
John Eakins	James Prindiville
Dana Burnett	Alison Burnett
Claudia Strater	Gaelynn Burnett
Royn Anderson	Darlene Anderson
Noel Anderson	Dick Sundberg
Dennis Welch	Steve Welch
Bill Halden	Bruce Hebden
Jack DeMann	Elsa DeMann
Ferrin Harker	Jack Rampton
Mary Wolfley	Bev Mullen
Alice Jacobson	Helen Erickson
Joyce Turnbow	Jennifer Brass

Ms. Griffiths conducted the meeting

A. OPENING CEREMONIES

1. Pledge of Allegiance

Lynden Cheshire

2. Approval of Minutes

July 18, 2006

Ms. Dunn noted on page 5 “Support” needs to be added.

Ms. Dunn made a motion to approve the minutes.

Mr. Robertson 2nd the motion.

All Ayes.

3. Special Recognition(s)

- a. Consider a Joint Resolution of the Mayor and Municipal Council of Commendation of Rob Hall.

Ms. Griffiths read a Commendation of Rob Hall.

Ms. Dunn made a motion to approve the resolution.

Mr. Robertson 2nd the motion.

Call Vote recorded by Mr. Davidson.

AYE/NAY

A Ms. Dunn
A Mr. Dredge
A Mr. Robertson
A Mr. Brass
A Ms. Griffiths

Motion passed 5-0

Mayor Snarr made a presentation to Rob Hall. The City is losing a tremendous officer in our community. Rob has done an incredible job, he has been one of the best Public Information Officer the City has had; he does an excellent job; and he has stuck to the facts. The Press called the Mayor and complimented Rob, and they even showed up at his retirement party as well.

He has been a great asset in our community and lives in our community as well. The Mayor is always excited about the police officers who move on and get into other endeavors. They have earned the right to retire after twenty years if they do choose. The Mayor applauds Rob because he has done an excellent job.

The cadets are going to miss him. He has done a wonderful job with that program. We have a good person taking his place and a good Public Information Officer as well. Rob, you are one of a kind and we do appreciate and value your friendship.

Rob Hall thanked the Mayor and thanked everyone on the job and the Community. When they say we are a family around here, that's what we are, and he is going to miss that.

Ms. Griffiths noted the first time she met Rob Hall was at his wedding reception. Ms. Griffiths son and Rob served in the mission field together and they have had mutual friends. She thought what a beautiful couple. Rob has been a great influence on Ms. Griffiths grandson and the cadet program as well.

When Ms. Griffiths husband passed away 15 years ago, Rob was one of the officers who was an honor guard by his casket, which gave her a lot of comfort and was deeply honored by that. Thank you Rob and we wish you God speed in your future endeavors.

Ms. Dunn said to Rob, "you have been a great face for our police department, not just for the police department and a great officer, but a real community person, a real asset to our community. You have participated in everything we have done. The Council thanks you for all you have done and Ms. Dunn thanks Rob for his friendship over the years and hopefully that will continue forever and we are going to miss you."

Mr. Robertson noted Rob Hall has been a great professional and he admires Rob.

Mr. Brass said, good luck Rob.

Mr. Dredge commented, thanks Rob.

- b. Administration of the Oath of Office to new Police Officer Chris Brekenfeld.

Chief Fondaco wanted to add a few things about Rob Hall which you probably do not know about. Being the PIO for the Department, when any other department needed help, Rob was first to assist.. He was up at the Joint Command Post through the Olympics doing all the Public Information, he was the one we sent to Salt Lake City when Elizabeth Smart was kidnaped. He has been in almost every the department very well. It made Chief Fondaco proud when he saw him on TV.

Chris Brekenfeld is Rob's replacement.

Brent Davidson swore Officer Brekenfeld in.

Officer Brekenfeld's wife pinned the badge to his shirt. He introduced his wife, mother and father, his mother and father-in-law, two sisters-in-laws.

- B. CITIZEN COMMENTS** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

Bill Finch, 2066 Chevy Chase Drive, Salt Lake City, UT

Mr. Finch would like to see one more enforcement officer for zoning. He would like to see some see some ordinances passed on parking on the streets, rentals and care of private property.

On a re-zoning, he thinks it could be done with just variances because you have more control when you do a variance and you can be very specific. From past experience from many years ago, a piece of property was re-zoned into the original purpose and something was not done right and something entirely different went in.

If you put a variance for height, setbacks, open space, number of units, parking spaces or whatever, you will have more control over this. An example of what was done on 9th East between 5290 & Three Fountains East. They put a lot of variances in there so they couldn't go in there and build high rise buildings or multiple units. Mr. Finch would like to have a little more input by Planning Commission on the re-zoning and the variances.

- C. CONSENT AGENDA**

None scheduled.

- D. PUBLIC HEARING(S)**

PUBLIC HEARING

#0625 - 6:40 p.m.

**Consider an Ordinance relating to
Land Use; amends the General Plan
from Single-Family Low Density
Residential to Mixed Use for the
properties located at approximately 64 West,
73 West, 90 West, 96 West, 97 West,
106 West, 112 West, and 116 West
Woodrow Street and 57 West 5300
South Street, and 5306 South Hillcrest
Drive, Murray, Utah. (53rd South Investments)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

Consider an Ordinance relating to Land Use; amends the General Plan from Single-Family Low Density Residential to Mixed Use for the properties located at approximately 64 West, 73 West, 90 West, 96 West, 97 West, 106 West, 112 West, and 116 West Woodrow Street and 57 West 5300 South Street, and 5306 South Hillcrest Drive, Murray, Utah. (53rd South Investments)

Staff Presentation: Dennis Hamblin

Mr. Hamblin said this item was reviewed before the Murray City Planning and Zoning Commission on June 15, 2006. The request is for certain properties R-1-8 zoning area in these various locations along Woodrow and Hillcrest to change the General Plan only on the various parcels represented in public hearing. The Planning Commission held a hearing on this item on June 15, 2006; five members of the Planning Commission were present on that date, and it comes with a negative recommendation from the Commission at a 4-1 vote (the dissenting vote by Jeff Evans.)

Physicians Group Presentation

Steve Souza, 5434 South Green Street, Murray, UT

Dr. Souza's group are physicians applying for the General Plan amendment. They are a group of physicians who occupy and own an office building Woodrow. His group has been in Murray since 1996 and they would like to continue that service if they are allowed to move to the area around the new IHC Facility in Murray.

The reason they want to be there is because the new IHC Hospital is going to open in December 2007 and Cottonwood Hospital will close and all their services transferred to the new hospital, which will be call IMC. LDS Hospital will want to move to Murray to practice out of this new facility. It is initially estimated there will be 1,000 doctors practicing out of there new facility and three to four hundred wanting to locate to this area. There will be Neurosurgeons, Urologists, Cardiologists, Radiologists, people who need to respond to traumas, strokes, and emergency's. Not every physician who will practice at the new hospital, need to move to Murray, but there are quite a number who do.

Dr. Souza said they currently have an office building which is 100% occupied now. His group has two Radiologists; and when Cottonwood closes and LDS downsizes, he will have many of his group move down to the Murray area.

Cardiologists are in the same predicament. They only have three doctors in that building now, and they will have eight at LDS Hospital who would have to move to Murray.

Dr. Souza noted when they were building their first building, they realized they would not have enough room when IMC opened. They talked to the City around that time and had to work with the City and neighbors to build a building to enhance the area with minimal impact.

What has been going on for the last six month and why they are applying for General Amendment now is some time ago when thee were building their initial building in 2003, they realized right away that they would not have enough room when imc opened. They talked to the City around that time, the summer of 2003, and the new Master Plan had been drawn up and this area that he is talking about. In the new master plan he thought it was initially mixed use when they looked at it.

They went forward with their plans and started purchasing lots with the intent of building a 2nd building next to the current one. They didn't discover the changes had not been made to the Master Plan until they demolished to houses around January of this year. At that point they stopped purchasing property and went back to the city to see what they could co..

Dr. Souza pointed out traffic was the apparent major concern. For that reason they commissioned a traffic report by Inter Plan. They chose Inter Plan because they are a very reputable company and they are the experts Murray City has used in the past when they have needed traffic expertise.

They were told the General Plan had been changed because of opposition of Woodrow neighbors. The neighborhood is already in transition, with IMC going in, Costco is already there, Murray High School is to the East. The neighborhood already is mixed; there are office buildings and the day care center; and there are two multi-family four-plexes. 38% of the neighborhood is not single family residents. 15 of the 22 owners on Woodrow and south of Woodrow now support the change in the General Plan which is 68%. Residents own 6.4 acres of th 8.3 acres, and support their plan. This a huge change of attitude from three years ago.

In summary, the Woodrow area is different from the neighborhood south, it is surrounded on three sides by very high density uses. The Woodrow neighborhood is already in transition and the attitude in6he area has changed, and traffic is still the neighbors' major concern. It is already a problem sitting next to the High School; the pre-existing commercial on State Street & 53rd South and west of

Woodrow. Traffic is only going to get worse when IMC opens and when the A-Core property is developed. There will be more development on State Street. The impact of Dr. Souza's proposal on traffic is minimal, even if they are denied, the traffic problem will not go away, in fact it will get worse

Dr. Souza said this request is for a general plan amendment. He understands the staff is against this because it is not compatible with the current general plan. He wanted to apologize to everyone on the mis-communication on their part in the past and the mistakes the group might have made on the application process. They listened to the neighbor's concerns and responded to their concerns and have been totally honest and tried to be consistent and they are willing to modify their plan and are willing to invest in the neighborhood to improve it. They are already part of the neighborhood, and they are going to be there for a long time.

Matt Riffkin, 7719 South Main Street, Midvale, UT

Mr. Riffkin noted as Dr. Souza mentioned the consultants that helped Murray City with the general plan have done a couple of traffic studies for the City as well. There are a lot of people who want to talk, but he would like to make a couple of comments about traffic. Traffic is a very important issue and a lot of people who are going to speak tonight are going to raise traffic concerns. Mr. Riffkin wants to make comments: The high school is right next door to this area. The hospital is across the street to follow it to the west. Certainly this neighborhood is being squeezed by more traffic and there are problems there. The problems are going to get worse, and they are not going to go away.

Mr. Riffkin noted their study looked at what an increase of an 80,000 square foot medical office would do with traffic problems in this area. Certainly it increases the traffic. The residents feel like they are being squeezed from a lot of areas, but the increase is very small. They are talking about 40-50 in a peak hour, very small numbers, but it may be the straw that breaks the camel's back, but there is a bundle of straw already up there. Hopefully, their report can put that into perspective. . Mr. Riffkin does think the request tonight is being mis-communicated because of some fed up residents in the area. The request is really not that big.

Mr. Riffkin continued how their study looked at some solutions. At the very least, even if they don't support the general plan amendment, he would ask that they at least study the solutions, because again, this is a problem that is not going to go away. Their study looked at some improvements to the intersection at 5325 South, and the applicant may be able to help with that. Approval will get them a step further, but even if they don't support approval, they really need to look at this and look at those traffic improvements for safety reasons as well as general traffic concerns.

Karen Wikstrom, 422 North 300 West, Salt Lake City, UT

Ms. Wikstrom does not want to repeat the statements that have been made, but she would like to talk about a request which was made in the Planning Commission Hearing, that this area be studied and be the subject been studied and the subject of a small area plan. The issue is this area is in transition by certain pressures that Matt and Steve mentioned. When the A-Core Development occurs and with the IHC facility, those pressures will just continue to impact the Woodrow Street neighborhood more. Woodrow Street is different from the neighborhoods to the south. It has taken the brunt of the impacts and perhaps that is why so many of the Woodrow Street property owners support the change, and why that's not the case for the neighborhoods to the south. The concerns of the neighborhoods to the south can be addressed in the planning for the Woodrow Street neighborhood.

The area will be in transition is only through lack of reinvestment in the area, and what they proposed in the application as a change of land use designation to mixed use as intended to manage the transition and still providing the controls that protect the existing residential properties, not only along Woodrow, but to the south as well. The mixed use is the only possible designation, and that is again why they proposed that there be a task force established in terms of transition as Matt discussed and land use.

It is clear the area has a great deal of public interest and there are different views regarding its future. They believe that it wants the attention of the planning department in a small area plan, regardless of the decision that you make this evening.

PUBLIC COMMENT

Wallace James, 77 West 5300 South, Murray, UT

Mr. James lives adjacent to the medical building that is there now. He truly does not agree with this, having lived in his same home for 43 years, having moved to Murray because he was employed in Murray and he thought it would be a very nice place to live also, not just a place for employment.

The piece of ground which they are talking about, the ground that has already been re-zoned where there already is a facility, this is not an inherited problem.

The doctors bought the property, had it spot zoned so they could make the property theirs. It is now the same doctors, so it is not an inherited problem, it is a general problem that they have. They have felt this for many years.

They did meet with the doctors, they called them and they meet with them. The people on Woodrow have been bombarded for three or four years now with

realtors that come into our home, bidding on the house. They say, “we would like to exchange your property one of ours.” For example, he was offered a six-bedroom home in exchange for his property. He and his wife really don’t need a six-bedroom home, which does not make much sense. Mr. James has a home which sufficient to his needs and he enjoys his home very much.

Mr. Jones noted, in the meeting with the doctors, they said there are misconceptions. There are no misconceptions here at all. It is a matter of they want the land and he does not want to give it up. On his property he has water lines, sewer lines, gas lines and a road coming into his property.

Mr. James. thought this was spot zoning, so now they are trying to go around corners and not call it spot zoning and calling it a change in another sort. It is the same thing, they are trying to railroad another proposal though, just like they did the last one, and we hope the Council will support them.

Bev Labrum, 5340 South Hillcrest Drive, Murray, UT

Ms. Labrum requested reading a letter from Val Shuey who cannot be here tonight.

“My name is Valerie Shuey and lives at 5349 South Hillcrest Drive, Murray Utah. I have lived in her house for 33 years. I dug the footings for an addition to her home. I lived on Woodrow Street before that time. I lived and taught school in Murray for more than 40 years and more than 11,500 students passed through my classes. I love this area and doesn’t want to move, or sell. I love my neighbors, and they need to built communities, not more buildings and huge parking lots. It will increase to the point where we can’t get out of our driveways.

When we started seeing houses being torn don, she was appalled, When we go to bed at night there does not need to be two high rise buildings all around.

Ms. Labrum noted this is her life and her home, she taught in Murray for more than 40 years. She chose the place where she is because of the quiet and peaceful place it was. Before they bought the lot, they met with the Planning & Zoning Committee to be sure they were purchasing a lot that would be residential and they feel they were reassured by the Master Plan that it would be residential. We have

had the rug pulled out from und3r them because they have trusted the city the Master plan.

When Ms. Lambrum and her husband went on vacation two years ago, we had several senior citizen neighbors come to us and say “what are we going to do with the realtors that have been around. Your neighbors have already sold, this all going commercial and mixed use, so you better sell now while you can get a good

price on your land. “ We called the State Real Estate Commission, and they told us what was going on. Their neighbor couldn’t find out who the developers were because they didn’t come to his house. We had questions about the how this would happen, because homes were being sold with no for sale signs, no one had a change to buy them. They were left there to just run down Now some of those lots have weeds more than three feet tall.

Ms. Lambrum noted they have been called selfish and argumentive people by some of the people in the city. She said she doesn’t know if they would say that if it were their homes, their neighborhoods, their streets and neighbors. They feel as a neighborhood they have been unjustly crushed by a group of developers trying to obtain properties. They have been supportive of our constituted City Government and so when this spot zoning came, they couldn’t understand it, because they believed and trust that they would be safe. They believe they are very much in jeopardy and under siege and are asking for the city’s help to keep this neighborhood, a community made by people.

LaDawn Powell, 93 Woodrow, Murray, UT

She has lived in her house for 62 years. Her husband built their home and they thought they could live there for the rest of their lives. She is a widow woman who is 82 years old and she has no place else to go. Her home she loves and she appreciates Murray, she has lived in Murray 62 years and she feels her home is her security. This issue has made her so ill, because constantly it is a worry, upsetting and she can’t take much more. She feels that she should have her home because they built it and her memories are there and it is Murray.

Ginger James, 77 West 5300 South

Ms. James is representing Mr. Hawley Burgess who could not be here tonight.

Mr. Burgess said, he has lived in the neighborhood for 53 years and does not want to move. There is a huge building that towers above them. They have lost a great deal of privacy and view with the school bleachers right in front of them. The traffic is worse that it has ever been and they can hardly get out of their yards.

Realtors and Developers have approached them saying “your neighbors have already sold and this property is going commercial so you better sell now while you can get a good price for your property.” At his age and time in life he resents having these threats over his head. All the time he watches with dismay as one house after another house has been purchased the lots let to go to pot and the weed are taking over. Why our neighborhoods? How did these people get past the

Master Plan which we trust in? There are a lot of vacant buildings along State Street, why can't they use these empty building?

Blanche Burgess Letter

Ms. Burgess resents the encroachment that is taking place in her neighborhood. She has lived in Murray 53 years developing and improving her home and has put all her effort and has put a lot of money into her home developing and improving it and is proud of her home. Now she has threats of the neighborhood being destroyed by a few developers who seem to have no concern or understanding for the people here. One by one homes are being destroyed, people that make big numbers, it's not big buildings or parking lots. Also they should think of the damage to the Ozone. What they are doing affects more than the people on Hillcrest, Woodrow, Washington, American & Spurrier. To the Planning & Zoning Commission, please help us before we have no neighborhood left. We don't want to be left here and can't see out.

Ginger James commented she loves her home, she has been there 43 years. People ask her, "where will you go, what will you do?" She says if she can't live in this neighborhood, it really doesn't matter. These are the people she loves, 90% of her friends are in the neighborhood, they work together, they pray together, they play together, they trust each other, they grieve together and they rejoice together. If you take her home, you take her life, please help us.

Vickie Adamson, 143 West Washington Avenue, Murray, UT

Ms. Adamson is going to tell about how encroachment affects some persons life and she would like to show an example so the Council will better understand what she is talking about.

You know the definition of encroachment: infringe, invade, trespass, intrude, violate, invasion. You know what it looks like when you drive by a commercial building standing amongst residential homes which were once a beautiful neighborhood. You can drive by and go home to a peaceful neighborhood with sidewalks, very little traffic, yards you can enjoy and peace and tranquility.

Ms. Adamson would like to tell about the feeling of encroachment. Her husband and she do not have the luxury of just driving by a looking and going home to what we would all like to enjoy. Encroachment has taken away or added to many of their feelings. They started with the feelings of desire to beautify our yards, sit and grow old. Then a two-story high, and 100' long, 50' wide metal building, with a block fence which does nothing to conceal, was put behind them. This commercial building has given a claustrophobic feeling. They only have a view of the building.

Their flowers and vegetables struggled to grow with the heat that reflects off the building and they cannot even get a breeze through it. They always feel powerless from anything that goes on in the building, such as how late they work, type of business they do, amount of noise that comes from it and the lights that shine all night. They have no control of what they use the building for because of the commercial zoning. They fought very hard to stop it, but they lost, and this is how they feel, they lost.

Ms. Adamson said they have no privacy, not just their yard, but also in their home, due to the four large high windows bearing down on them at all times. She would like to know, when, how and why it came about the large masses of commercial buildings. It became more important than the happiness, security and dreams of a human being.

Darlene Anderson, 9 West Washington Avenue, Murray, UT

Ms. Anderson noted that four generations of her family have been in Murray. Her parents moved to Murray in 1920, her children, her grandchildren, herself, her husband and now her great-grandchildren all live here and go to school here, and participate in this beautiful city. We have watched progress in our area, needless to say, we are not even closed to what we once looked liked, Murray is different. Some of it good and some of it is bad. She loves Murray, please do not infringe on their good neighborhood anymore, let them live in what peace they have left. Let them continue to be loyal friends, neighbors and really good Murrayites.

Robyn Anderson, 55 West Washington Ave., Murray, UT

Ms. Anderson noted she is one of those generations that Ms. Anderson just talked about. She lives four houses down from her parents. She loves this area, and the neighborhood and she understands that Murray needs to have growth, but it should not have to be on the backs of the people who made Murray what the City is. The fair place to live is a wonderful place to live and many people would like to live here. We are counting on you as our Council to help it stay the way it was and make it the place that is endearing to the people who live here and don't want to leave.

Lila Hampton, 3 Rose Circle, Murray, UT

Ms Hampton will be reading remarks from Betty Ledgard, Helen Ericksen & Alice Jacobsen.

The first one is from Helen Ericksen & Alice Jacobsen. It reads, they love their neighborhood because it was a quiet peaceful environment. Now several of her neighbors are gone because of a threat of encroachment and zone change. Traffic

is already a problem. Woodrow is becoming a thoroughfare, and the hospital and a day care center are not even open yet. Please help us keep our neighborhood zoned residential

The second remark is from Betty Ledgard. She cannot be here tonight because she is home ill. She has lived on Rose Circle since 1952, and has felt the peace and quiet of where she lives, which has been her main reason for staying here. Her quiet neighborhood is slowly but surely disappearing. Increasing traffic has been felt and will increase tremendously when the hospital and the day care center open. They have already felt the impact with the Radiology Lab. She has faith in the City's Master Plan which some of this area was residential. She does not want her home torn down to make room for more businesses.

Ms. Ledgard said not one of you who vote tonight is suffering from encroachment as we are. Your neighborhoods are not being torn apart. She is now retired and has made every effort to improve her home and yard and make it beautiful. She does not like the threat of encroachment, she just wants to live peacefully and quietly in her retirement years. Please help us.

Not one of you who vote tonight is suffering from encroachment as we are. Your neighborhoods are not being torn apart. She is now retired and has made every effort to improve her home and yard and make it beautiful. She does not like the threat of encroachment, but she just wants to live peacefully and quietly in her retirements years. Please help us.

Jack DeMann, 6086 Glen Oaks, Murray, UT

Mr. DeMann noted, people are wondering why someone who lives two miles from this area is here speaking on the subject. Exactly 50 years and four months ago today, he and his wife moved into a little home at 35 West Washington. They lived at that address for three years and then moved to 5750 South in the general vicinity for another 11 years, and then transferred to Delaware. When they were transferred back, they still loved that neighborhood, they went to the people who bought their home and asked if they would like to sell it back. They have a great love for the neighborhood and for the people who live there and are concerned about the impact.

This is an extremely viable neighborhood, even the neighborhood in question, where the spot zone is being proposed, is viable if it is given a chance. It seems rather ironic that those who brought about the change in the first place are now before you to ask for additional changes, citing that changes have taken place, when those changes were done at their instigation. Their consultant hit the nail

right on the head when he said, traffic wise, maybe this is the straw that will break the camel's back. That is almost pathetic because that is what is going to happen. He also alluded to a hotel being planned in the area. Those of you on the City Council, know that if a hotel goes there, access for the police and fire and safety vehicles will have to be have at least two accesses and the only access is 53rd South.

Where the traffic will go, except south through the neighborhoods. The hospital will come on line and generate much traffic, but that traffic will likely not go through the area because it is across the street and because those coming out will have an opportunity to find other routes. But if this facility goes through and the patients cannot get onto 53rd South, which is likely given the flow of traffic, where else will they go but through the neighborhoods. When that happens, the rest of the area south, which is now pictured as being invulnerable will come equally vulnerable and the decision you are making will determine the residential viability, not only on Woodrow, but all the area south.

Noel Anderson, 9 West Washington Avenue, Murray, UT

Mr. Anderson is speaking for a group who calls themselves the Concerned Murray Citizens on Commercial Encroachment. Visiting this thing again, a couple of years ago they went through this and he would like to right a few comments. This property was never zoned commercial, it was proposed to be zoned commercial and it was voted down. They organized a committee of concerned citizens throughout this area. That committee consisted of members from 5300 South to 5900 South from 3rd West to State Street. They are very concerned, not only for the people at Woodrow that affects them in one way, and affects the rest of the neighborhood in another way. It is going to be Mr. Anderson's job to show that we cannot only consider Woodrow; we have to consider what is going to happen clear to 5900 South.

The good doctors came up with a study, and if they paid more than 50 cents for this study, they got taken. It says the study was taken on Thursday, February 6, 2006 from 4:30 to 6:00 p.m., an hour and a half. From 4:30 until 6:00 p.m. is not prime time traffic with the High School letting out at 2:45 p.m. They then come in for an a.m. study which was done February 7, 2005 from 8:00 until 8:15 a.m.

Mr. Anderson told about a traffic study that he did himself, and everyone in his neighborhood studied the traffic all day. This was a two-day traffic study and Mr. Anderson was watching the traffic come off of Rose Circle, people short cutting down Rose Circle, down Hillcrest to get to the freeway or to get to the hospital to go to work, and coming back onto Woodrow and Hillcrest, going along Hillcrest and cutting back through Rose Circle.

Mr. Anderson noted you have to realize there are not sidewalks there, so all students that don't have cars, they have to walk on the road. Mr. Anderson can

sit in his front room on any day of the school year, he can see twelve to fifteen grade school kids standing on the road on the corner of Washington and Hillcrest. The high school kids, it is like a freeway. They come down through 5900 South, down Utahna, up and out through Spurrier and Washington and finally to the High School. Why? because if they go East on State Street, they have red lights to go through, if they go this other way, they don't have a red light, they only have two stop signs, that they ignore anyway. In the evening when the parents and kids are out playing, they are on the road. Mr Anderson said, they can't take any more traffic.

Back to the study, Mr. Anderson continued, he spent two days, one day when there was no school, this study was done at 7:00 a.m. to 8:30 a.m., the first day was Friday 3-24-06m a day when school was out because of term break. There were 73 using Rose Circle route and 69 using washing for a total of 142 car in an hour and one half, through a residential area. Then on a day when the school was in session there were 194 cars. Mr. Anderson presents a petition signed by 200 plus in that area that do not want to see things go through. Have the doctors been honest with us? **NO.** Have they told you that three on the west side of them they have already purchased for the sole purpose of making a parking lot out of it. They have gone to Murray City to ask if it was okay, and Murray City gave them an okay. They haven't mentioned that, they already have parking lots. That whole area which used to be the community center is up for grabs. The doctors say they have to be close, because if you have a heart attack or stroke, they have to be near the hospital. If we could time our heart attacks and strokes, we couldn't have a doctor here in ten seconds, because they are loaded. Where are they on the off hours and what are they saying that the hospital is not going to have staff for emergencies? Sometime the city has to draw the line in the sand and say "no more developers, there is plenty of open property somewhere else, north of the hospital, no more developing in residential neighborhoods until that is all done."

Bill Halden, 5322 Woodrow, Murray, UT

Dr. Halden is one of the greedy, dishonest doctors. The main point he wants to make here tonight is that they are not dishonest, they bought that land that was already zoned when they put that building in. There was nothing underhanded about that. They have not tried to force people out of their homes. He was one of the doctors that went with Dr. Souza and spike with Mr. James. He said they are sincere, and want to be good neighbors. There is a lot of talk tonight about how the neighborhood has changed. The blame has been put on them for that. Certainly their building has had an impact. Dr. Halden does not think the people are understanding that this neighborhood changed four years ago, when the IMC facility was planned and the land was bought.

The first phase of the hospital opens November, and the next in March and the Grand Opening of all the phases will be October/November 2007. Dr. Halden would be shocked if the traffic from the hospital doesn't dwarf anything that you have seen so far, and doesn't dwarf any potential impact on a building they put there could have. The change has already happened. Dr. Halden thinks that they are willing to put time and effort and even money into trying to help the neighborhood, trying to help traffic flow. He is not a traffic expert, but he can't believe there isn't some solution that wouldn't help the majority of the people in the situation. He looks at the people, their neighbors, and he thinks they could be

his parents. He appreciates the anger and the frustration that they have. He doesn't think it will change, it is only going to get worse unless some planning is done.

Ms. Dunn noted let everyone have respect for whoever is speaking, whichever side you are on. There should be no comments made from the crowd to any speaker.

Steve Hunt, 5444 Green Street, Murray, UT

Dr. Hunt is one of the physicians involved in the development. He does not have a lot to add to what Dr. Halden said, except he would like to reiterate that because he has heard so much rumbling every time they say they weren't the ones who re-zoned the property. They bought it re-zoned. There is not one person in the building who is there now who had anything to do with the building, which was part of the re-zoning which happened. He hates the feeling of the anger toward the doctors. They built the building, it services our community, they understand now what an impact it has had. None of them had any idea that it would make such a big impact.

Dr. Hunt is here just shocked that they have had such a negative impact on the community and feels really bad about that. Again, the zoning was done before they were there. The development of the high school, he didn't have anything to do with that. IMC, they didn't have anything to do with that also. A-Core and all that development property has nothing to do with them. They are just simply asking now for the Council to re-look at the property that is adjacent to their property and hopefully it will be commercial or a mixed-use property.

Tom Bonk, 5444 South Green Street, Murray, UT

Dr. Bonk is part of the physician group as well. They have been at LDS Hospital and Cottonwood Hospital, and Alta View Hospital. They want to be part of this community and provide good, high quality health care to this community. Part of where they are coming from, they are responding to what has been somewhat addressed upon them. IMC has been allocated to this section of the neighborhood. They are trying to find a home near that facility for them to practice from and

provide that care. It has been mentioned the zoning occurred here and they are a little bit unfortunate in terms of them being ahead of this curve in terms with

dealing with those people who stepped into this area. He thinks there are going to be a lot more Dr. Hunt commented on, a lot of that once it occurs, this will seem so much smaller than what is being built up currently.

Dr. Bonk said as a small business owner which is what they are, they are just trying to provide the best quality care at the lowest cost to the community and they do that by decreasing their costs. If they can actually own the facilities which they practice in, that reduces their costs, that in turn around and they can provide a better product at a lower cost.

Irene Young, 141 American Avenue, Murray, UT

Ms Young noted one thing all of the neighbors are upset over, was not too long ago they we were called a blighted area. Those words have dug pretty deep at them. She wanted to say that they are part of the deep roots of Murray. They are part of the heart of Murray, we have helped keep Murray alive, they have been a deep support. Ms. Young is a second generation - she went to Murray High School, she doesn't want them cut out, they are part of the heart of Murray. If you the neighborhood, you kill part of Murray. Ms. Young's family moved into Murray when she was going to start the 2nd grade and one thing that she first noticed was there was a building on 3rd West that stood high, it had broken windows and it was blighted clear back then.

Ms. Young feels sorry for some of the neighbors that are on Woodrow that are stuck in the middle; they wanted to sell their homes because, in a lot of ways Woodrow is already ruined, they were all shocked at the day traffic started shooting down Woodrow. The day that happened it ruined Woodrow in a lot of ways, and it had an impact on all of them. There has got to be a solution. Another possibility, if there is one, since the day care in already there, is there any way that they could make Woodrow like a cul-da-sac, and cut off where that doctor's office and day care are so it is blocked off completely? That way the traffic would have to back down on 53rd.

Ms. Griffiths noted this group of doctors were not the ones who got the original re-zone. She recalled it was a realtor name Kyle Christensen who represented some people who got the zoning changed. The doctors did purchase it after the General Office re-zone.

Kathryn Nunley, 45 West Washington Avenue, Murray, UT

Ms. Nunley is the third generation of her family to live in her home. Her mother lives in Murray also at 10th West and 5300 South. Many of these doctors have an office at 5444 South Green Street, and believe that location is within five minutes of the hospital. Also she goes to visit her mother quite often and driving the are off 5300 South, there are many areas that are available for medical office use. There is land of about 1.5 acres, 9.50 West 5300 South that could be used to build a nice building for medical use.

Ms. Nunley also remember a mobile home park across the street from their office. Wouldn't it be nice in checking into that and moving into that area by the hospital and mirror the building they have, but on the other side of the street?

Just before Seventh West this is going to be a beautiful dental office built.

Ms. Nunley's neighborhood is great and she can see how it is desirable, but if you encroach upon what you want now, it is just going to be a matter of time before you pick another street and another street. They have small homesteads and have so much history behind them, and even to change the whole look of Murray, is not an option. They also have good sized yards that is another thing people are interested in. There are other places within five minutes of the hospital.

John Foley, 370 East 9th Avenue, Salt Lake City, UT

Dr. Foley practices at 370 East 9th Avenue, I Salt Lake City, across the street from LDS Hospital. What he would like to focus on is the positive of what is going on. In his mind, Murray City made a commitment to a world class institution, something that will probably not be equal to anywhere west and east of the Mississippi. The \$500 million dollar facility which requires among other things, one major thing, it requires doctors, lots of doctors. It requires doctors not just a hospital based, but it requires doctors all around the facility.

Basically there are a number of specialists who really function best in a facility like this, being right next to facility. Those include a number of specialists, cardiologists, neurologists, neurosurgeons, just as an example. Dr. Foley is the Chief of the Neurology Division at LDS Hospital right now. They have done extensive planning on working on the neuroscience facility in which the plan is to is to bring a state-of-the-art Stroke Center to IMC, which will service this entire region. Mostly the acute strokes that happen in Murray City will come here. It is enormously helpful to the doctors to be able to be on the scene and evaluate. There are techniques that can alter what happens in the end with strokes if they can treat them acutely.

Dr. Foley noted they certainly are not developers, they are doctors looking for a home close to a major care facility, and the investigation of that has been fairly extensive. They have looked at a number of other properties trying to find an appropriate property. They are officing in a building right now across the street.

It would be certainly be easier if they could share some inter activity with the radiology center if they could build another building right there. There aren't a number of large parcels available within a few minutes of the hospital. He asked for consideration of their request to be able to do their jobs which in the end will benefit Murray City. Murray is going to be attached to a major medical center which is fabulous.

Jerry Nichols, 190 West American Avenue, Murray, UT

About ten years ago, they were looking for a place to live and Murray is the place his family wanted to live. The school system and the attitude in the neighborhood is great. They believe in this neighborhood, they are the last house on the west end of American Avenue, as such they are very close to Riley Lane, and they hear a lot of industrial traffic down there.

Mr. Nichols continued, at the last zoning meeting that everybody went to, there was a lot of talk about the General Plan and the General Plan had the area down Riley Lane was supposed to be mixed use. Instead of taking the residential area that they are in, it was all supposed to come down Riley Lane and would have the advantage of, if you have offices there, the traffic has got to go to 5300 South. It doesn't go through residents of the residential area that doesn't have sidewalks. If they need sidewalks there, who is going to pay for it? It isn't going to be the doctor's office. About a conditional use permit, it was for a day care center, and it was actually to that, but the land was already zoned and something was going on there and the day care seemed rather benign. The day care isn't even opened yet and this has turned out to be a major nightmare. They have torn the street up and closed the street, they have paved it twice. They voted for Diamond Tree Service around the corner, they didn't know they were stacking a pile of mulch the size of our house, but it is zoned that way, and there is no way to stop them. Overnight Diamond Tree left and turned into an auto impound yard.

The neighborhood has changed and there is nothing they can do to stop that part. They can't even control the commercial which is on the end of Woodrow as it is. As far as the A-Core Development, which has been an item of argument for him because he has always considered Riley Lane Frontage, and every time something would come up, he would manage to argue the point that it is Riley Lane Frontage and they should have no access onto Woodrow at all. But now that they own the horse pasture and everything has changed, whatever goes in there is actually going to be Woodrow Street Frontage and they will be able to come into the neighborhood.

Jim Prindiville, 97 West Woodrow, Murray, UT

Mr. Prindiville noted Hillcrest may see an increase in traffic, and have 300 plus signature on a petition. Hillcrest may see an increase in traffic, but the people that are objecting to a traffic increase in their neighborhood are trying to condemn the people that live on it.

Woodrow will have to put up with their traffic. They might have to go past Spurrier a couple of times a week, but everybody that lives in a 10-block area comes through Woodrow.

The City needs to draw a line. They drew a line to the south side of the Woodrow property, it has been on the books for other 30 years. He knows about it and if he knows about it anybody else in the neighborhood knows about it. Saying this was never going to happen or nobody knew about it is uncalled for. They didn't know when it was going to happen, but they do now. If the west end of 53rd and 5300 frontage only is completed and developed, then Woodrow street turns into and closed the street, they have paved it twice.

A lot of the people from 53rd to 59th are here tonight because of scare tactics, rumors, etc. When someone walks up to you and says they heard you sold your house, he asks them who told you and they say, "I can't remember." This neighborhood isn't that big, someone starts the rumors, someone spreads them, and he is tired of it.

Orden Yost, 4616 South Atwood Blvd., Murray, UT

Mr. Yost has been asked by Blake Jessop of the Mayor's Task Force to speak in behalf of him and the Task Force. He does respect this Council and all that they do and appreciate their efforts in serving us as a community.

Mr. Yost stated that good effort that has been spent by the opposition to this. They have done a wonderful job. He understands that they are opposed because of traffic, you don't want to move, concerned about encroachment and those issues are not going to change, those issues are here to stay forever. You don't have to move. The concern that Mr. Yost has is this commission has a responsibility to address this issue based on the facts. The facts are, when the Murray City Council General Plan, Chapter 8, and those guidelines say, "goals and policies of the General Plan are to explain commercial growth within the commercial core in designated and strategic areas." This area has become a strategic area. It is an area being moved over there, and there are traffic problems, and they need to be solved somehow. They need to be solved by a developer, help from the City to solve those problems or the city can spend the money in the effort to do that.

Mr. Yost continued, the next goal is to increase the regional draw of Murray economics. We have the opportunity of the hospital to reach this to draw in, They have people say, we need to come to Murray, we need to open offices, we need to be heard. The next plan is to promote mixed use development. This is the question, a mixed use development which meets with the intent of the client.

People have talked about offices and space available in Murray. We have in Murray approximately 1,000,600 square feet of office space. Of that we have 8% that is vacant today. We need somewhere in this square footage a million square feet of medical use and space. Where are we going to put it?

We have doctors that live in Murray who recently has had to move to Taylorsville, West Jordan and to Sandy, because there is no place in Murray to accommodate them. Another goal, advance the economic help of all Murray including the commercial and residential areas. This area as a mixed use can be developed as residential area.

Strengthen the City's Goals. Strengthen the City's Medical Related Commercial Activity. Foster the interest and the growth of hospital and medically related services and research.

Mr. Yost noted, what is being requested here needs to be looked at in the master plan. In Mr. Yost's opinion, the Master Plan should be a win-win. Everyone can stay where they want to stay, they don't have to sell their homes, but in the future if they want to sell their homes, they have a General Plan that gives the ability to sell it for a higher price than they can today. We are going to do it as a City by Design, that is the Design the City Council gives us. Or we are going to do it by accident.

Dick Sunberg, #9 East Washington Avenue, Murray, UT

Mr. Sunberg a Murray resident and his wife who has health problems and have had a great outpouring of help and compassion from the neighbors in this area. His wife has had surgery's or tests of some kind in every hospital in the valley at one time or another. They currently have a doctor whose office is on 11000 South and practices there, and his is at St. Marks Hospital. He manages to get from 11000 South where his office is, to St. Marks to check on his wife to see how she's doing.

Mr. Sunberg can only repeat the same things everyone else has said, there is a great deal commercial property available, more than 5300 South that could be well utilized. To come in on this neighborhood, does not make any sense. The traffic study that was done by this company for fifteen minutes and for an hour at a very strange time of day, is especially bothersome, because the traffic study done by Mr. Anderson is far more accurate as to what is going on. The cars are cutting through all of these places.

Dr. Souza thanked everyone for coming and listening to them . They have talked to all the neighbors on Hillcrest and Woodrow.

There are a number of things that have come up that he would like to respond to:

People feel like they are forced to leave, no one has to leave. They have agreed, if they want to stay there, that is fine. They aren't forcing anyone out, and they would never do that.

They did purchase some property west because it became apparent they weren't going to get the amount of property they wanted adjacent to their building. There are 3 lots which they are after, with the VanDam property, that is where the tow truck company is. It is not wide enough to put a building on. They were hoping they could purchase some of the property from A-Core to widen and they could not.

Dr. Souza noted every place that they have looked at is bought up. If anyone knows of three acres close to the hospital, they will look at that. They heard of something west about a mile, as soon as they heard about it they called them and the developer said, he was sorry, but it just sold. They are caught in a dilemma, they do not want to move, they like where they are, they are moving because IHC has moved here, and if they want to continue providing service, they need to move too.

Someone brought up their physician traveled miles to St. Marks. That is true, there will be about 1,000 physicians working at this hospital initially, and there will be more later; 300 to 400 of those doctors need to be in the area. There are many physicians that don't have to be near the hospital, dermatologists, family practice, internal medicine. They are not going to move, and they can stay where they are. There are many physicians that do have to be near the hospital. They are next door to Cottonwood Hospital, because they had to be there. Part of Dr. Souza's group is at LDS Hospital and they have to be here. It is not accurate that any physician can live anywhere that they need to provide their services.

Dr. Souza continued, there was another comment that they are buying residentially because it's cheap versus commercial. That is actually not true. The properties that they have bought they have paid 150 and 200% of the residential rate. They are paying commercial rates for these properties, which is quite a bit higher than residential rates. They are paying an average of \$16.00 a square foot.

Dr. Souza wanted to thank the City Council for listening to them. He hopes even if they deny them, they will look at this area more seriously. With a lot of problems, traffic will always be a problem. Woodrow is going to get worse, he thinks it would behoove the whole neighborhood if there was a task force assigned to study this area carefully.

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Dunn commented, the Council deals with issues like this all the time and they are very emotional issues. Both sides have very valid reasons for why they want what they want. Ms. Dunn gets a little disappointed when she hears disrespect for each other because in your hearts you are right, both sides. She hopes whatever happens in this area the people will respect each other, because ultimately you are coexistent already and hopefully we can keep things respectful in all directions.

Second, the master plan. It is what it is right now, but general plans are fluid, they are designed to change over time. While she says that she is not suggesting that it should change today. Ms. Dunn is saying that master plans are designed to change with the times that is exactly what they are, fluid. We use them as a guideline but they change enough, that is why we review them every few years.

Third, no matter what this Council decides tonight, we can decide whatever we want. We can decide with the neighbors here tonight that have spoken against this, and your fight will never be over. This Council cannot bind the next, and every two years you have a potential of a new Council. Every two years because of the location you are in, you will have this fight again. As a Council we have heard this many times already. We will hear it many more times as well. You are the people who can protect the integrity of your neighborhood, and as the character of neighborhoods change, that's where your general plan will start to change, because you are the people to protect that.

Fourth, there are probably more appropriate requests that could have been made to this group by the Doctors Group. Now the Council is not in a position to name anything mixed use or even to define what mixed use is. That is a part of the ongoing process that the Council needs to go through. They have a master plan now, they have dealt with a lot of issues and they have not yet defined exactly what mixed use is. There is a good possibility that there are two or three different mixed use zones. The Council needs to define right now to say yes, this is a mixed use area, because they have not defined that. The doctor's group is a little ahead of where we can be at this point. Mixed use is a tough one for us right now.

Mr. Nakamura noted that term "spot zone" has never been used in any case. It is in reference to a land use decision where you make a decision not on legitimate land use reasons. In other words, you do it for commercial reasons, or economic reasons, rather than land use. It is a term where they have to make decisions which are based on land use, looking at the surrounding area, is it compatible with the surrounding area? When they talk about a spot zone, it is a decision that is based on something other than land use. Whether or not that took place, Mr.

Nakamura can't address this issue. This Council has a great deal of discretion to make their decisions. The courts give great deference to this Council as they simulate all the information and make their decisions.

Ms. Dunn concluded, just by what is happening already, the character is changing in the neighborhood. For the fact that many of the home owners have sold their property, for that reason alone, she will support them more for that reason and for the fact that the Council has not defined mixed use, she would support the City Council setting for some type of a study to look at the area, to look at mixed use. It is the next step in our process, the next natural step. We have gotten pushed aside on taxes and those types of things that it is time for us to move forward and define mixed use and to study the area a little more closely as to what has already happened in that area and how or if it affects the general plan.

Mr. Brass noted the General Plan was quoted by Mr. Yost and all of that is in there, but he does want to make a note that the other thing that are in there is saying, "circle your neighborhoods and protect them." Mr. Brass often finds that the General Plan, the Constitution and the Bible, you can pick up the things you like and interpret them, but as Council member Dunn said, this neighborhood is in transition, the hospital is being built, that is a land use decision. It was an approved use for the property, it was not like they had a choice, it is going to be a major issue even in this city. There will be an impact on traffic, impacts on neighborhoods throughout the entire city as people move here and people move out. There will be a need for doctor offices, but Mr. Brass does not like the mixed use definition. The Council eliminated a manufacturing zone from the Master Plan when they changed it. It was zoned MGC and every area which they had an MGC zone, they designated mixed use, knowing that along 3rd West were areas that abut residential.

One of the first zones which they created to fit in these so called "mixed use" Master Plan was residential neighborhood business, and that was done specifically for areas along 9th East, 5400 South, along Winchester Street where former residential streets turned into 6-lane freeways, and people who owned the houses didn't want to back out of their driveway at 45 miles an hour anymore, but knowing if you put up a multi story office building you would ultimately creep into the neighborhood and it continues to collapse neighborhoods. This zone was created and it gives certain design guidelines and when it limits height, and it says what goes in there must reflect the character of the surrounding neighborhood.

Mr. Brass continued, a neighborhood where Woodrow abuts American Avenue, at least at this point, maybe that is more appropriate, that is something to be decided in the future. He agrees a study needs to be made, but to say mixed use at this

point, could allow anything in there, and for the houses that don't want to move on the south side of Woodrow, he doesn't think he would want to look at a 4-story building and a parking structure either. Maybe we can buffer that as the study goes on.

Traffic is going to be a problem. They adopted a traffic Master Plan at the last Council Meeting. It was studied extensively, the key streets, they did not go into the neighborhoods. We know the impact on 5300 South & State Street and all of the major corridors. Again, when you put that many people in that building, it will affect us all, Mr. Robertson agrees with some of the things that have been said, that things change. Mr. Robertson lives west of the freeway in Hidden Village. For years they didn't want business on Green Street, south of 5300 South, but no one wanted homes in there either. At some point you have to accept the fact that things have to change and you have to make the changes fit the neighborhoods.

Someone suggested a ten-story building off of 3rd West would be a great thing. People in his neighborhood would not think that would be too great.

Mr. Robertson came to one of the Neighborhood Meetings and he told them at the end of the meeting, that you will make the changes in your neighborhood if they happen. If you sell your homes and the changes which are made, if it goes on long enough and your children inherit those homes and they don't choose to live there, the character will change. What we are saying is you are going to fight the battle like Mr. Robertson did for a long time. If you don't want it to change, you have to maintain what you are doing. If it changes, then the character changes and we will be looking at it again. Whatever happens tonight, just understand that things change. If you don't want it to change then the neighborhood can change.

Mr. Dredge noted Mr. Brass and Ms. Griffiths have all sat on the Planning & Zoning before they were on the City Council. Ms. Dunn and Mr. Robertson have sat on the City Council long enough to face a lot of different land use issues. What you are seeing here tonight is most contentious issue that has faced the City on a regular basis. It is not just your neighborhood that feels like they are being assailed, there is a natural fight between development and change and people wanting to protect their homes.

The Council respects that and Mr. Dredge personally wants to thank you for coming out and showing such support for your neighborhood. There has been a little bit of an attitude by some, that the people who abut Woodrow should stay out of this, because it is not their neighborhood, but that is not true. Most of the contentious issues have been these transitional areas where someone wants to put to put in a three or four-story office complex that abuts a residential zone. You can't say that, what happens in that area will affect the area to the south. The

Murray City Municipal Council

Council appreciates the fact that a large number of people are here that are circling the wagons trying to protect their areas.

Murray City, Utah

~~Mr. Dredge does want to reiterate especially the first thing that Ms. Dunn said,~~
there has been expressed by some the fact that the master plan and the general

The Municipal Council of Murray City, Utah, met on Tuesday, August 1, 2006 at 6:30 p.m., City Council held in the Murray City Council Chambers, 502 South State Street, Murray, Utah. It is the Council's responsibility to look at it. Mr. Dredge agrees because of its location, will never be put to bed. In some respect that's a sad thing Roll Call consisted of the following:

Krista Dunn, Council Chair

In talking with some of Mr. Dredge's constituents in areas of the older parts of Murray, small homes, similar to yours, they hate the changes that have happened in Murray. They don't like the Pointe at 53rd, they don't like the fact the hospital is coming in, they don't like the fact that there is even a mall in Murray. Unfortunately, where you are at is probably one of the biggest areas where there is pressure for change is. Mr. Dredge is just reiterating what has been said. Continue to circle the wagons, continue to strengthen one another or it will change to something you will not like.

Other who attended:

Daniel Snarr, Mayor

Jan Wells, Chief of Staff

Frank Nakamura, City Attorney

Ms. Griffiths expressed her personal feelings about this, most of the people in this room know how she feels about this area. If this was raw land, she would want it to be R-1.8 because there is a need in our community for affordable single family houses. It doesn't necessarily have to become these other uses, because there is great potential for maintaining the nature of this neighborhood, and even improving the nature of the neighborhood, but to keep it residential and Mr. Yost quoted like Mr. Brass said, little bits and pieces out of the General Plan. Other parts that they focused on quite strongly were preservation of our neighborhoods. That has been one of Ms. Griffiths' goals and one of the things which she has worked the hardest. What Ms. Griffiths has always tried to do is to prevent or to eliminate, if possible the incompatible uses creeping into the residential neighborhoods, because that is the heart and soul of our community. She truly feels that in her heart.

Gil Rodriguez, Fire Chief

Dennis Hamblin, Planning & Zoning

Pete Fondaco, Chief of Police

Lauren Gibbs, Police Department

Mike Fisher, Police Department

Kendall Fisher, Police Department

Christ Breckenfeld, Police Officer

Sallie Young, Murray Journal

Caroline Kingsley, Murray Journal

Cathy McKinnick, Salt Lake Tribune

Citizens

Ms. Griffiths commended all everyone for their involvement. A few people said this was mixed use. It was never designated mixed-use, but it has always been residential. All of the people here came to the meetings for the General Plan, to be sure that's what happened, and their involvement has helped us to reach this point. Ms. Griffiths encouraged them to be actively involved and she also commends them for forming a Neighborhood Council so they could work through the problems in their neighborhood. Everyone knows Ms. Griffith's opinion.

Maxine Nunley, Jennifer Dawson

One of points of contention is the fact we are a city that is 98% built out, but that doesn't mean that everything should go commercial or medical offices in her

Linda Schow, Sharon Thompson

Eric James, Suzanne James

Doyle Lundquist

opinion. There are needs for all these different uses to keep the community the unique community that we have built it into.

Mayor Snarr noted he does not make the decisions regarding zone changes, it is not his responsibility. It is his responsibility and it has been since day one to listen to all residents, those in favor of change and those in favor of not seeing change occur. He has to give people equal opportunity to come in and express their concerns, which he has tried to do. There has been situation after situation where people have come and expressed their concerns to him about some changes. He has listened quietly and at the same time he has tried to without creating the animosity, explain to them some things that they are not aware of. They talked about some future issues that may impact their neighborhoods. There was an issue on Miller Avenue 3 to 4 dozen that got mad at the Mayor because he had the courage to tell them what he truly felt in his heart.

The smelter site has been a site that has challenged us because it was not a site that gave back in a positive manner to our city. Now it can give back in an unbelievable manner. Whether you like it or not, it is there and holds great promise for our community. South Salt Lake expressed to the Mayor, they wished they had the hospital site. Their hospital went out of business, they wish they were what Murray is, because 60% of South Salt Lake was residential are now rental units. People do not want to live there anymore, because it is not a vibrant community.

We have a very vibrant community, but is a changing community these three dozen neighbors came to the Mayor were very upset, they protested, it goes to the Council, he shares their concerns. Mayor Snarr explained to those people that area is going to have problems. Three years later they came back and they were mad at the Mayor because he hadn't prevented the challenges which would occur. They said they wanted it changed, and they wanted it re-zoned. They were his enemies three years before, now they are his friends and needed his help. The Mayor took it to the Council and they made the right decision.

Mayor Snarr applauds the Council for saying let's go back and study this some more, because it needs to be studied. What the Mayor does not want is the residents who have the right to do it, and come and get after him, but there are going to be those houses, when people pass away, they are going to leave it to their children, or someone else, and those people are going to say they want to sell the property. They may not be able to sell the property, if they can't sell it they'll turn into a rental unit, if it turns into a rental unit at some point of time, you may have those undesirable elements, like what happened on Miller Avenue's move in, and that begins to destroy your neighborhoods all over again.

Mayor Snarr said he would rather see our community change than be left behind in the wastelands and become the challenge that South Salt Lake has. No one wants to live there anymore. Mayor Snarr applauds everyone for wanting to live here. There are ways that you can live in your community that make a nice community that's creating a pleasant transition between the residential and commercial.

Ms. Griffiths noted one point that concerned her with the application was these parcels of land that you are requesting a re-zone are not contiguous. That bothers her to have you requesting, knowing that you own the property or you have entered into contracts with people.

Dr. Souza noted the people who support them, would like to see the re-zoning happen. It is fairly contiguous.

Mr. Brass noted as Ms. Dunn said, we cannot do everything to protect the neighborhood, there are private property rights. There are nine properties and more that are going to sell.

Ms. Griffiths noted about the people who are left.

Ms. Dunn noted that so much has happened here it is time to take another look and figure out what we can do to protect further south and the people who still remain.

Mr. Dredge made a motion to deny the application for general plan amendment on the merits that we have not gotten mixed use defined. He does not think it is appropriate to open that up to anything that can be put in there that can be conceived.

Ms. Dunn 2nd the motion.

Mr. Brass noted this is not a zone request tonight, it is a General Plan Change.

Mr. Nakamura will set it. It would then go to a zone change and would not be able to consider what is going on the property because often what is proposed may not happen, then the property becomes open to anything acceptable in that zone. That is what you have to look at.

Ms. Dunn would like to see us move forward with some studies and an attempt for all purposes in this city and take a closer look at this area as well.

Call Vote recorded by Mr. Davidson.

AYE/NAY

A Ms. Dunn
A Mr. Dredge
A Mr. Robertson
A Mr. Brass
A Ms. Griffiths

Motion passed 5-0

E. UNFINISHED BUSINESS

None

F. NEW BUSINESS

1. Consider a Resolution indicating the Intent of the City to adjust its common boundary with Taylorsville City to include an area located at approximately 1300 West Winchester Street (northeast corner) in Taylorsville City.

Presenter: Doug Hill

Mr. Hill noted Taylorsville City had a new map which Mr. Hill handed out with new adjustments. The City of Taylorsville has requested that Murray City consider a boundary adjustment in the area of 1300 West & Winchester Street, which is 6400 South. There are two reasons why they are requesting that we consider this, the first one, they want to square up the boundary on the south end of their city.

Mr. Hill said they are not only working with Murray City, but also with the City of West Jordan to do this. Basically, everything south of Winchester Street will come and come into Murray City and West Jordan, at 1300 West. Murray City would obtain with this boundary adjustment approximately seven parcels. It is a fairly small area being proposed. Likewise, there is a small area north of Winchester Street that is be proposed as part of the boundary adjustment and it is about 12 parcels.

In order for them to obtain water and sewer services, they need to get those from Murray City because we happened to be down hill and that is the way that sewer flows. In order to accommodate that development a boundary adjustment would

need to take place in order for us to provide them water & sewer services. A Resolution of Intent is being considered. If the Council approves this, then it will allow the City to publish notice which is a 60-day. Notice period and at the end of that 60 days, this will come back to the Council for your consideration through a Public Hearing, and a final vote. Taylorsville has already held a Public Hearing on this and they have not yet voted on this. They will also have to take a vote on this.

Taylorsville has already held a Public Hearing on this and they have not yet voted on this. They will also have to take a vote on this. If it approved by both cities, then the boundary would be adjusted to 1300 West, and Murray City will pick up everything on the east side of 1300 West.

Mr. Nakamura noted, in addition to the boundary adjustment, there will have to be a de-annexation from the Taylorsville/Bennion Water Conservancy District. We will be done separately, but first the boundary adjustment has to be done. We are emphasizing that Taylorsville has not passed an ordinance yet. We have 60 days to do this process. A publication of notice begins 14 days if this intent resolution is passed tonight.

Mr. Dredge made a motion to adopt the resolution with the intent of the City to adjust its common boundaries with Taylorsville City to include an area located at approximately 1300 West Winchester Street (northeast corner) in Taylorsville City.

Mr. Brass 2nd the motion

Call Vote recorded by Brent Davidson.

AYE/NAY

A Ms. Dunn
A Mr. Dredge
A Mr. Robertson
A Mr. Brass
A Ms. Griffiths

Motion passed 5-0

2. Consider a Resolution voicing support for, and a request for, the adoption and implementation of Utah State Tax Commission Proposed Rule R861-1A-39 to encourage better reporting of 911 Emergency Funds and Local Taxes collected by Telecommunications providers.

Sponsor: Krista Dunn

Ms. Dunn represents Murray City on the Board of Trustees for Valley Emergency Communications Center. Right now 911 funds are collected, through telephone bills, from the cell phone companies. Now the way that works is they are representing each individual bill. however they would like to, or however works best for them.

The problem with that for Murray City and other cities especially those represented by one organization like the ECC, is it does not break out what city they are collecting funds from. For the most part across the Salt Lake Valley, that comes in as a credit to Salt Lake County. All of the 911 funds go to Salt Lake County and then we have to try and figure out what goes to each city.

Ms. Dunn continued, for the past couple of years, the ECC has tried to have legislation passed by the legislature to require that all of the cell phone companies break those out. Now we don't get the funds. Everything we get is just based on an agreement with Salt Lake County to give us part of what they are getting. We don't know if we are getting the credit that we are supposed to get or not.

What this would basically do is allow the Tax Commission (they will meet August 3, 2006) to make the changes necessary, so we can start receiving those dollars and that money can go to the ECC and it is a correct amount instead of just a guess.

Mr. Nakamura noted this is also supporting what the Salt Lake County Council of Governments is proposing, so we are supporting a resolution that they are ultimately putting forward.

Mr. Brass made a motion to adopt the resolution.

Ms. Dunn 2nd the motion.

Call Vote recorded by Brent Davidson.

AYE/NAY

A Ms. Dunn
A Mr. Dredge
A Mr. Robertson
A Mr. Brass

A Ms. Griffiths

Motion passed 5-0

G. MAYOR

1. Report

None

2. Questions of the Mayor

None

H. ADJOURNMENT

Recorded by Brent Davidson, Deputy City Recorder.